



BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

REC'D TN
REGULATORY AUTH.
JAN 16 PM 3 21
January 16, 2002
EXECUTIVE SECRETARY

Guy M. Hicks
General Counsel

615 214 6301
Fax 615 214 7406

VIA HAND DELIVERY

David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Complaint of XO Tennessee, Inc. Against BellSouth Telecommunications, Inc.*

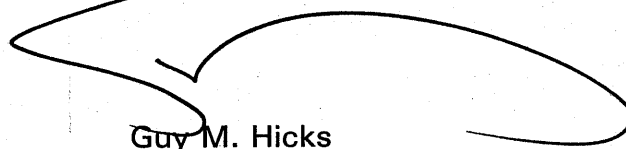
Complaint of Access Integrated Networks, Inc. Against BellSouth Telecommunications, Inc.

Docket No. 01-00868

Dear Mr. Waddell:

Enclosed is a copy of a letter I sent to Henry Walker today verifying that Boulton Cummings did not disclose or produce any confidential BellSouth documents in response to a subpoena. BellSouth had argued that any such disclosure would violate the terms of the Protective Order entered in this proceeding. The Hearing Officer requested that she be kept apprised of the status of the subpoena. Copies of the enclosed are being provided to counsel of record.

Very truly yours,



Guy M. Hicks

GMH:ch
Enclosure



BellSouth Telecommunications, Inc.
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January 16, 2002

Henry Walker, Esquire
Boult, Cummings, et al.
414 Union Street, #1600
Nashville, TN 37219-8062

Re: *Complaint of XO Tennessee, Inc. Against BellSouth
Telecommunications, Inc.*
Docket No. 01-00868

Dear Henry:

This is to confirm that you have informed BellSouth that Boult Cummings did not disclose or produce any confidential BellSouth documents in response to the subpoena issued by the Office of the Attorney General of Florida.¹

Thank you.

Very truly yours,

Guy M. Hicks

GMH:ch

¹ During the oral argument on January 10, 2002, you told the Hearing Officer that the Florida subpoena was issued pursuant to RICO statutes. BellSouth understands from information provided by its Florida counsel that it is typical for the Attorney General in Florida to use a form subpoena referencing the RICO statute, and the use of such form is not indicative that any action under the RICO statute is specifically being contemplated.

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2002, a copy of the foregoing document was served on the parties of record, via the method indicated:

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Henry Walker, Esquire
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

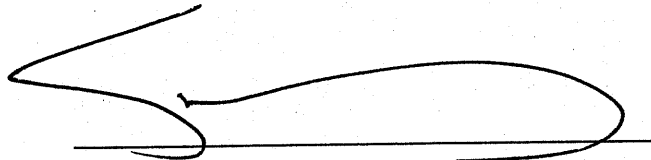
Chris Allen, Esquire
Office of Tennessee Attorney General
P. O. Box 20207
Nashville, Tennessee 37202

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Nanette S. Edwards, Esquire
ITC^DeltaCom
4092 South Memorial Parkway
Huntsville, AL 35802

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Bob Bye, Esquire
Cinergy Communications Company
8829 Bond Street
Overland Park, KS 66214

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'B' shape, followed by a horizontal line.